

REMARKS

This application has been reviewed in light of the Office Action dated December 5, 2011. Claims 11-3, 5-8, 10-21 and 23-29 are pending in the application. Claim 1 has been amended. Support for the amendments can be found throughout the specification, in the claims as originally filed and figures of the present disclosure. Applicants submit that no new matter or issues are introduced by the amendments. Applicants reserve the right to prosecute the subject matter of any cancelled or withdrawn claim(s) in divisional and/or continuation applications. Further, Applicants do not acquiesce to any portion of the Office Action not particularly addressed.

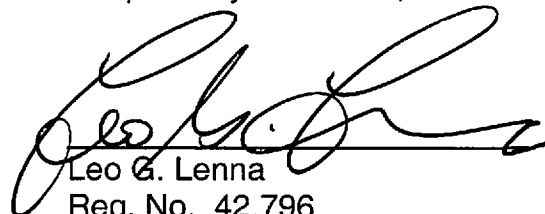
In the previous Office Action, the Examiner acknowledged that claims 9-15 are free of prior art and are only objected to for being dependent upon a rejected base claim. Accordingly, by way of the previous amendment, claim 1 was amended to include the features of claim 9 and intermediate dependent claim 4. The Examiner now states that claim 1 has been broadened by the addition of all the features of claim 4. Accordingly, Applicant has now cancelled all features from claim 4, now in claim 1, not related to the non-glycerol polyols.

In the Office Action, Claims 1-3, 5-8, 10-21 and 23-25 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over WO 03030956 (Osteotech, Inc.). In view of the above amendments, Applicants submit that this rejection is now moot and that independent claim 1 and all claims depending therefrom are patentable over the cited prior art.

In the Office Action, Claims 1-3, 5-8, 10-21 and 23-25 were rejected under 35 U.S.C. 112, first paragraph. In view of the above amendments, Applicants submit that this rejection is now moot and that independent claim 1 and all claims depending therefrom are in compliance with the written description.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1-3, 5-8, 10-21, 23-25 and 27-29 presently pending in the application are believed to be in condition for allowance and patentably distinguish over the art of record. An early notice thereof is earnestly solicited. If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicant's undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leo G. Lenna', is written over a horizontal line.

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